

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:13-CV-00058-GCM**

ABIGAIL WILSON,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
GASTON COUNTY, NC)	
JIM N. PUTMAN III,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on Defendant Jim Putman’s Motion to Remand (Doc. No. 67) and Memorandum in Support (Doc. No. 68), Plaintiff Abigail Wilson’s Response (Doc. No. 69), and Defendant’s Reply (Doc. No. 72). For the following reasons, Defendant’s Motion is **GRANTED**.

Plaintiff filed this action against Defendants Gaston County and Jim Putman, alleging various state and federal law claims. (Doc. No. 1) Gaston County removed the case to federal court on January 29, 2013. (Doc. No. 1) Plaintiff’s amended complaint, filed on January 29, 2014, asserted federal and state claims against the County, as well as state law claims against Defendant Putman. (Doc. No. 28) On November 6, 2015, this Court granted the County’s Motion for Summary Judgment on all claims. (Doc. No. 66) As a result, Gaston County was terminated as a party. Putman subsequently moved to remand this case to state court, noting that all federal claims had been dismissed. (Doc. No. 67, 68) Plaintiff responded, explaining that she did not object to Defendant’s Motion. (Doc. No. 69) She also informed the Court that she intended to appeal the Court’s grant of summary judgment in favor of Defendant Gaston County, and that in the event of remand, she would seek a stay of the state court proceedings pending the Fourth

Circuit's decision. (Doc. No. 69) Plaintiff also stated in her Response that, if the Fourth Circuit reversed summary judgment as to Gaston County, she would seek at that time to have the case heard in federal court. (Doc. No. 69)

The Court finds that remand to The General Court of Justice, Superior Court Division for Gaston County is warranted for the reasons set forth in Defendant's Motion. In short, the Court finds that in the absence of federal claims, it no longer has subject matter jurisdiction over this case. *See* 28 U.S.C. § 1331; *id.* § 1447(c). Additionally, no party currently opposes remand. **IT IS THEREFORE ORDERED** that Defendant Putman's Motion to Remand is **GRANTED**.

SO ORDERED.

Signed: December 7, 2015

A handwritten signature in black ink, reading "Graham C. Mullen", is written over a horizontal line.

Graham C. Mullen
United States District Judge

